

REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

By this Amendment, claims 6 and 9 are amended, and new claim 15 is added to secure an appropriate scope of protection to which Applicants are believed entitled. Support for added claim 15 is believed to be found at in least page 9, line 13 to 21 of the present specification. Accordingly, claims 1-5 stand withdrawn and claims 6-15 are pending in this application.

Claims 6-7 stand rejected under 35 USC 103(a) as obvious over Ballantine et al. (US 6,488,778), Shao et al. (US 6,437,290), Wu (US 20030235990), Bottomfield (US 6,506,312), Honma (US 5,981,966), and Chen et al. (US 6,646,235).

In addition, claim 8 stands rejected as obvious over Ballantine in view of Shao, Wu, and Bottomfield as applied to claim 6 and further in view of Tsao (US 4,752,815).

In addition, claims 9 and 10 stand rejected as obvious over Ballantine in view of Shao, Wu, and Bottomfield as applied to claim 6 and further in view of Tsao and Beinglass (US 5,940,733).

Still further, dependent claims 11-14 stand rejected as obvious under Ballantine in view of Shao, Wu, and Bottomfield, and further in view of one or more of Brabant et al. (US 2003/0036268), Chang et al. (US 5,043,299), Adetutu (US 5,958,508), Aoki (US 5,242,666), and Yamoto et al. (US 6,399,429).

In response, independent claims 6 and 9 are amended, and as presented below, are believed to be patentable over the applied art for the failure of the applied art to disclose, teach or suggest all of Applicants' recited claim features.

As amended, claims 6 and 9 recite "adjusting the temperature of a ceramic heating element in the second substrate holder and adjusting the temperature of a ceramic heating element in the sample holder," (*see* specification, page 9, lines 13-23 that disclose "for rapidly adjusting the temperature, a separate sample holder 204 is provided on the second substrate holder 202 in the chamber. ...[t]he temperature of the sample (substrate) is adjusted by a ceramic heating element in the second substrate holder 202, and the temperature thereof is adjusted by the a (sic) ceramic heating element in the sample holder 204 in case of depositing the metal.") The alleged

combination of applied references does not disclose, teach or suggest this dual temperature adjustment feature.

Accordingly, Applicants respectfully submit that amended independent claim 6 and 9 are patentable at least due to the failure of the applied references to disclose, teach or motivate both a temperature controlled sample holder and second substrate holder, as recited in amended claims 6 and 9.

Claims 7-8 and 10-14 depend variously from these independent claims and are likewise patentable over the asserted combination of references for at least their dependence on an allowable base claim, as well as for the additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

New claim 15 is likewise patentable at least based upon its dependence on allowable claim 6 as well as for the recitation of a step of lowering the wall temperature of the second chamber with water, (*see* specification, page 9, lines 21-23).

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

The Examiner is invited to telephone the undersigned, Applicants' attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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